



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 18
United States Patent and Trademark Office
Washington, D.C. 20231
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U.S. APPLICATION NO.

09/701674

FIRST NAMED APPLICANT

LAL

P

AUTHORITY NO.

PF-0539 USN

INTERNATIONAL APPLICATION NO.

PCT/US99/13281

INCYTE GENOMICS
3160 PORTER DRIVE
PALO ALTO CA 94304

FILING DATE

11 JUN 99

PRIORITY DATE

12 JUN 98

DATE MAILED

03 MAY 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

- ☐ U.S. Basic National Fee
- ☒ Copy of the international application
- ☐ Oath or Declaration of inventor(s)
- ☐ Copy of Article 19 amendments
- ☐ Priority Document
- ☒ The International Preliminary Examination Report in English and its Annexes, if any
- ☐ Translation of the international application into English
- ☐ Translation of Article 19 amendments into English
- ☐ Other
- ☐ Indication of Small Entity Status

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee
- ☐ Copy of the international application

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the international application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a _____ large entity _____ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917

Notice of Defective Translation

PTO-875

☒ PCT/DO/EO/920

Kaya Baltimore

FORM PCT/DO/EO/905 (March 2001)

Telephone 703 305 3696



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, DC 20503

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTORNEY

09/701674

LAL

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PF-0539 USN

INCYTE GENOMICS
3160 PORTER DRIVE
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INTERNATIONAL APPLICATION NO.

PCT/US99/13281

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11 JUN 99

12 JUN 98

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03 MAY 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other _____

APPLICANT MUST PROVIDE:

- ☐ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☒ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help

Kaya Baltimore

Telephone 703-305-3695

FORM PCT/DO/EO/920 (March 2001)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231 on July 3, 2001

By: Kathleen K. Muto

Printed Name: Kathleen K. Muto

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lal et al.

Title: PROTEINS REGULATING GENE EXPRESSION

Serial No.: 09/701,674

Filing Date: November 28, 2000

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Box PCT
Commissioner for Patents
Washington, D.C. 20231

REQUEST TO TRANSFER

Sir:

This paper is responsive to the Notification of a Defective Response (copy attached) which was mailed on **May 3, 2001**.

With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant application is identical with the computer readable form filed with PCT Application No. **PCT/US99/13281**, filed **June 11, 1999**, in the US/RO to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with PCT Application No. **PCT/US99/13281** as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant divisional application.

Applicants believe that no fee is due with this communication. However, if the USPTO

determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108. This form is enclosed in duplicate.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date: 3 July 2021

Diana Hamlet-Cox

Diana Hamlet-Cox

Reg. No. 33.302

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